

Snell & Wilmer
LLP
LAW OFFICES

15 West South Temple
Suite 1200
Gateway Tower West
Salt Lake City, UT 84101
801.257.1900 P
801.257.1800 F
swlaw.com

PATENT MAINTENANCE
DIVISION

2006 APR 11 PM 4:23

US PATENT & TRADEMARK
OFFICE

DENVER
LAS VEGAS
ORANGE COUNTY
PHOENIX
SALT LAKE CITY
TUCSON

April 6, 2006

Attn: REFUNDS
MAIL STOP 16
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

RE: Deposit Account 19-2814

Dear Sir/Madam:

Enclosed please find a copy of our Deposit Account Statement dated February 28, 2006. On February 28, 2006 we were charged \$1,590.00 for a four month Extension of Time filed in connection with the Response to Species/Election Requirement in connection with application serial number 10/628,027.

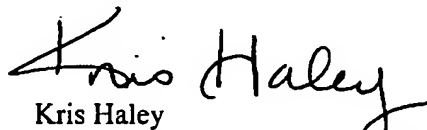
Our client, SME Steel Contractors, Inc. no longer qualifies as a large entity. We had checked the box stating that Applicant claims small entity status resulting in a reduced fee by one-half the cost.

I am also enclosing a copy of the Petition for Extension of Time which was filed on February 21, 2006 showing small entity status checked. Accordingly, we request a refund in the amount of \$795.00 to be credited to our Deposit Account No. 19-2814.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

MADSON & METCALF


Kris Haley
Legal Secretary to Craig Metcalf
Attorney for Applicant

kh
Enclosures

50082.0400\HALEYK\SLC391812.1

Deposit Account Statement

Page 9 of 10

02/27 335 78609697	45794.1400	7003	\$100.00	\$49,498.00
02/27 1770 78823810	31949.4100	7001	\$325.00	\$49,173.00
02/27 2120 76494240	43425.0200	7004	\$300.00	\$48,873.00
02/28 3 6214012		2551	\$450.00	\$48,423.00
02/28 4 6214012		1558	\$1,640.00	\$46,783.00
02/28 10 6462358	39524.1100	1551	\$900.00	\$45,883.00
02/28 19 10684762	2029.2.3.2	2251	\$60.00	\$45,823.00
02/28 22 10708824	60655.8500	1814	\$130.00	\$45,693.00
02/28 25 10628027	15560.7	1254	\$1,590.00	\$44,103.00
02/28 40 60755540	49744.0150	1807	-\$50.00	\$44,153.00
02/28 41 60755540	49744.0150	2052	\$25.00	\$44,128.00
02/28 42 60755463	15730.4700	1807	-\$50.00	\$44,178.00
02/28 43 60755463	15730.4700	1052	\$50.00	\$44,128.00
02/28 44 60755585	49930.7950	1807	-\$50.00	\$44,178.00
02/28 45 60755585	49930.7950	1052	\$50.00	\$44,128.00
02/28 49 10375953	42593-4517	1801	\$790.00	\$43,338.00
02/28 50 10375953	42593-4517	1251	\$120.00	\$43,218.00
02/28 80 2327973		6205	\$100.00	\$43,118.00
02/28 81 2327973		6208	\$200.00	\$42,918.00
02/28 83 10374212	42935-0100	2501	\$700.00	\$42,218.00
02/28 84 10374212	42935-0100	1504	\$300.00	\$41,918.00
02/28 101 6958971	52478-0137	1811	\$100.00	\$41,818.00
02/28 110 10708823	60655.8400	1814	\$130.00	\$41,688.00
02/28 113 78731895	49930.0067	8521	\$40.00	\$41,648.00
02/28 114 78731895	49930.0067	8522	\$50.00	\$41,598.00
02/28 130 10175964	2029.2.2.3	2801	\$395.00	\$41,203.00
02/28 131 10175964	2029.2.2.3	2252	\$225.00	\$40,978.00
02/28 159 29251733	42526-5300	1051	\$130.00	\$40,848.00
02/28 243 10568985	50478-0100	1631	\$300.00	\$40,548.00
02/28 244 10568985	50478-0100	1633	\$200.00	\$40,348.00
02/28 245 10568985	50478-0100	1642	\$400.00	\$39,948.00
02/28 246 10568985	50478-0100	1615	\$250.00	\$39,698.00
02/28 247 10568985	50478-0100	1614	\$800.00	\$38,898.00
02/28 284 29254443	42610.8700	1012	\$200.00	\$38,698.00
02/28 285 29254443	42610.8700	1112	\$100.00	\$38,598.00
02/28 286 29254443	42610.8700	1312	\$130.00	\$38,468.00
02/28 287 29254435	42610.8800	1012	\$200.00	\$38,268.00
02/28 288 29254435	42610.8800	1112	\$100.00	\$38,168.00
02/28 289 29254435	42610.8800	1312	\$130.00	\$38,038.00
02/28 338 11163952	49930.3700	8021	\$40.00	\$37,998.00
02/28 1109 78824649	48579.0400	7001	\$325.00	\$37,673.00
02/28 1765 2323405	29242.0500	7205	\$100.00	\$37,573.00
02/28 1766 2323405	29242.0500	7208	\$200.00	\$37,373.00
02/28 1853 78825022	49930.0036	7001	\$325.00	\$37,048.00
02/28 1951 78825067	49930.0036	7001	\$325.00	\$36,723.00
02/28 2184 78825158	49930.0036	7001	\$325.00	\$36,398.00

START
BALANCE
\$26,702.00

SUM OF
CHARGES
\$146,544.00

SUM OF
REPLENISH
\$156,240.00

END
BALANCE
\$36,398.00

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 50082.0400 (3460.2.4)
In re Application of James Smelser		
Application Number	10/628,027	Filed July 25, 2003
For DOUBLE CORE BRACE		
Group Art Unit 3637	Examiner Winnie S. Yip	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows
(check time period desired):

- ☐ One month (37 CFR 1.17(a)(1)) \$ 120.00
☐ Two months (37 CFR 1.17(a)(2)) \$ 450.00
☐ Three months (37 CFR 1.17(a)(3)) \$ 1020.00
☒ Four months (37 CFR 1.17(a)(4)) \$ 1590.00
☐ Five months (37 CFR 1.17(a)(5)) \$ 2160.00
- ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 795.00.
☐ A check in the amount of the fee is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Commissioner has already been authorized to charge fees in this application to Deposit Account Number 19-2814.
☒ The Commissioner is hereby authorized to charge any underpayment of the above fees, or credit any overpayment, to Deposit Account Number 19-2814.
 I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). ____

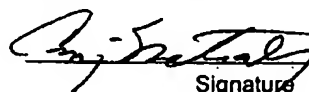
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

February 21, 2006

Date

801-257-1900

Telephone Number



Signature

Craig Metcalf

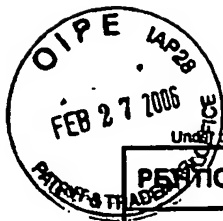
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and selection option 2.



IFW/115

PTO/SB/22 (08-03)

Approved for use through 7/31/2006, OMB 0551-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)
50082.0400 (3460.2.4)

In re Application of James Smelser

Application Number 10/628,027

Filed July 25, 2003

For DOUBLE CORE BRACE

Group Art Unit
3637

Examiner
Winnie S. Yip

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- | | |
|---|------------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$ 120.00 |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$ 450.00 |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ 1020.00 |
| <input checked="" type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ 1590.00 |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$ 2160.00 |

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 795.00.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Commissioner has already been authorized to charge fees in this application to Deposit Account Number 19-2814.

☒ The Commissioner is hereby authorized to charge any underpayment of the above fees, or credit any overpayment, to Deposit Account Number 19-2814.

I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). ____

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

February 21, 2006

Date

801-257-1900

Telephone Number

Signature

Craig Metcalf

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.138(a). The information is required to obtain or retain a benefit by the public which is to file (and pay the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and selection option 2.

04/000021 192814 10628027

02/28/2006 01 FC:1254 795.00 DA

04/18/2006 SDIRETAT 00000010 192814 10628027

01 FC:2254 795.00 DA

Adjustment date: 04/18/2006 SDIRETAT
02/28/2006 HDESTAT 00000021 192814 10628027
01 FC:1254 1590.00 CR